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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,853	08/22/2003	Yoshinori Kataoka	031047	8139
23850	7590	03/14/2007		
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP			EXAMINER	
1725 K STREET, NW			FRIEDHOFER, MICHAEL A	
SUITE 1000				
WASHINGTON, DC 20006			ART UNIT	PAPER NUMBER
			2832	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/14/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/645,853	KATAOKA ET AL.	
	Examiner	Art Unit	
	Michael A. Friedhofer	2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 17-19 is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/21/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 7-8 it is unclear what the connection or what structure is between the rotation-detecting section and the operation unit in order to perform the function claimed making the claim indefinite.

In claim 3, line 2 replace “which” with --, the--.

In claim 3, line 3 “the direction” has no antecedent basis.

In claim 3, line 3 it is unclear how the “top plate” may be depressable. There does not appear to be any structure allowing this operation.

In claim 3, line 4 “its lower face” has no antecedent basis.

In claim 4, line 4 replace “slide in” with –slide within--.

In claim 5, line 5 replace “slide in” with –slide within--.

In claim 8, lines 1 and 2 “the top plate” has no antecedent basis.

In claim 9, a first gear needs to be claimed prior to a second gear being claimed, not the other way around.

In claim 9, line 4 “the circumferential surface” has no antecedent basis.

In claim 9, line 4 “the guide rib” has no antecedent basis.

In claim 11, line 2 replace “the same” with –the operation unit--.

In claim 11, line 4 it is unclear whether these rollers are the same ones as those already claimed or are separate and distinct rollers.

In claim 11, line 4 it is unclear to what element “the same” is referring.

In claim 12, line 2 replace “the same” with –the operation unit--.

In claim 12, line 4 it is unclear whether these rollers are the same ones as those already claimed or are separate and distinct rollers.

In claim 12, line 4 it is unclear to what element “the same” is referring.

In claim 14, line 2 “the inner circumference” has no antecedent basis.

In claim 14, line 4 prior to “axial” insert –an--.

In claim 15, line 2 replace “the same” with –the annular cover--.

In claim 16, lines 2-3 “the same” has no antecedent basis.

In claim 16, line 3 “the turntable” has no antecedent basis.

Allowable Subject Matter

2. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
3. Claims 2-16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. LaWarre et al, Kitzmann, Durbin et al, Elsasz, Houdeshell, Spinner, Fujii, Takizawa et al, Brown et al, and Hanahara et al teach various rotary structures having a sensor or switch sensing a rotation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 571-272-1992. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael A. Friedhofer
Primary Examiner
Art Unit 2832

maf